

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

MARILYN CHURCHILL,

No. C-07-3007 MMC

Plaintiff,

ORDER OF DISMISSAL

v.

JOHN BARGETTO, et al.,

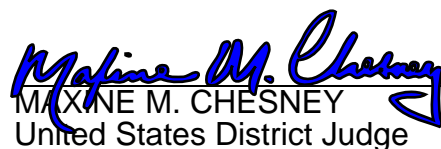
Defendant.

The parties having agreed to a settlement of the above-titled action at the January 27, 2009 Settlement Conference,

IT IS HEREBY ORDERED that plaintiffs' claims be dismissed without prejudice; provided, however, that if any party hereto shall certify to this Court, within ninety days, with proof of service of a copy thereon on opposing counsel, that the agreed consideration for the settlement has not been delivered, the foregoing order shall stand vacated and the action shall forthwith be restored to the calendar to be set for trial.

IT IS SO ORDERED.

Dated: March 26, 2009


MAXINE M. CHESNEY
United States District Judge